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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/988,355	11/19/2001	Tuomo Syvanne	44655/284126	8357

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BARNES & THORNBURG LLP
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EXAMINER

BROWN, CHRISTOPHER J

ART UNIT	PAPER NUMBER
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2134

MAIL DATE	DELIVERY MODE
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05/25/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/988,355

Applicant(s)

SYVANNE, TUOMO

Examiner

Christopher J. Brown

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 01 March 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 11/26/06 with respect to claims 1-11 have been considered but are moot in view of the new ground(s) of rejection in view of Freund 2003/0055962. Applicant's arguments filed 11/26/06 have been fully considered but they are not persuasive. Applicant argues they have effectively sworn behind Freund's Non-Provisional Application.

The examiner has found that the provisional application fully supports Freund US application 2003/0167405, and the final rejection made. Support for [0080] of Freund is found on page 6 lines 30-36 of the provisional application and support for [0073], and [0095] can be found on page 9 lines 5-15, 33.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-8, 10, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Freund US 2003/0167405 in view of Freund US 2003/0055962.

As per claims 1, 10, and 11, Freund '405 teaches a method, computer terminal and computer readable medium for detecting location for a personal firewall of a client computer, said method comprising determining the current location of said personal firewall based on an Internet Protocol (IP) address currently used by said client computer (detects IP and MAC addresses from router for personal firewall), [0076], [0078], [0088].

Freund '405 does not specifically teach verifying the current location determined on the basis of the current IP address of said client computer by carrying out a location verification procedure with a predetermined network element.

Freund '962 specifically teaches verifying the current location determined on the basis of the current IP address of said client computer by carrying out a location verification procedure with a predetermined network element (client hello to router to request a challenge), [0125].

It would have been obvious to one of ordinary skill in the art to use the verification technique of Freund '962 with the system of Freund '405 because it allows the system to verify the network element.

As per claim 2, Freund '405 teaches determining comprises storing in said personal firewall a list of IP addresses of a home network, (list of trusted zone networks) [0096][0097]. Freund '405 teaches comparing the current IP address of said client computer with said list of IP addresses, and if the current IP address of said client computer matches one of said addresses on said list, determining said personal firewall to

be located in said home network (comparing current network to list of network profiles to determine a trusted zone), [0096] [0097].

As per claim 3, Freund '405 teaches determining comprises storing in said client computer an IP address space of a home network, comparing the current IP address of said client computer with said IP address space, and if the current IP address of said client computer matches said IP address space, determining said personal firewall to be located in said home network, (comparing current network to list of network profiles to determine a trusted zone) [0096] [0097]. [0138].

As per claim 4, Freund '405 does not specifically teach verifying the current location determined on the basis of the current IP address of said client computer by carrying out a location verification procedure with a predetermined network element.

Freund '962 teaches verifying comprises checking availability of said predetermined network element related to the current IP address, said predetermined network element responding only if said personal firewall is located in the network in which it is assumed to be on the basis of the current IP address, verifying the current location determined based on said current IP address if said predetermined network element responds with a specific identity data (checking the IP address of the router and comparing it to a list of network profiles to determining if the location is the trusted Zone), [0078] [0096] [0097] [0138].

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As per claim 5, Freund '405 teaches, wherein said specific identity data is a Media Access Control (MAC) address of said predetermined network element (MAC address), [0078].

As per claim 6, Freund '405 teaches said predetermined network element is a firewall in said home network, (router or gateway), [0078].

As per claim 7, Freund '405 teaches using said determined and verified location for selecting security rules for controlling said personal firewall in a location-dependent way data (checking the IP address of the router and comparing it to a list of network profiles to determining security policy) [0096], [0097], [0138].

As per claim 8, Freund '405 teaches comprising using said determined and verified location for enabling a periodical security rule update enquiry from said personal firewall to the central management, when said personal firewall is in said home network, and for disabling said periodical enquiry, when said personal firewall is outside said home network (allows updating security rules via the trusted zone but may block connection to the internet otherwise), [0138].

Allowable Subject Matter

Claim 9 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

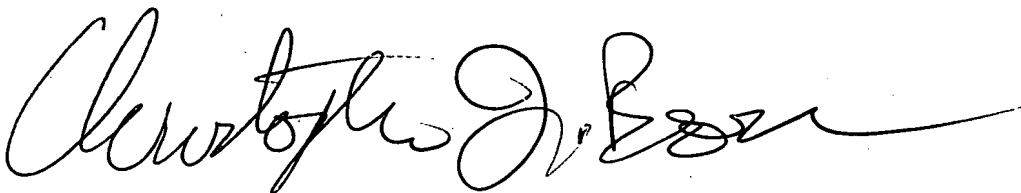
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher J. Brown whose telephone number is (571)272-3833. The examiner can normally be reached on 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Zand can be reached on (571)272-3811. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Christopher J. Brown

5/21/07

A handwritten signature in black ink, appearing to read "Christopher J. Brown", with a long horizontal flourish extending to the right.